

THE EFFECT OF SANCTUARY CITY POLICIES ON THE ABILITY TO COMBAT THE OPIOID EPIDEMIC

HEARING BEFORE THE SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY OF THE COMMITTEE ON THE JUDICIARY HOUSE OF REPRESENTATIVES ONE HUNDRED FIFTEENTH CONGRESS SECOND SESSION

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ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

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<http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-20180215-SD007.pdf>

DPD Policies regarding Illegal Immigrants slideshow. Submitted by the Honorable Ken Buck, Colorado, Member, Subcommittee on Immigration and Border Security, Committee on the Judiciary. This material is available at the Committee and can be accessed on the Committee Repository at:

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Crackdown on Immigrants undermines public safety, Tukwila officers turn immigrant over to ICE after he called them for help. Was that legal? Charge: Child rape suspect threatened to deport victim's mother. Submitted by the Honorable, Pramila Jayapal, Washington, Member, Subcommittee on Immigration and Border Security, Committee on the Judiciary. This material is available at the Committee and can be accessed on the Committee Repository at:

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Congresswoman Sheila Jackson Lee of Texas, Committee Statement: The Effects of Sanctuary Policies on Crime and the Economy. Submitted by the Honorable Sheila Jackson Lee, Texas, Member, Subcommittee on Immigration and Border Security, Committee on the Judiciary. This material is available at the Committee and can be accessed on the Committee Repository at:

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Letter to the Honorable Bob Goodlatte. Submitted by the Honorable Jamie Raskin, Maryland, Member, Subcommittee on Immigration and Border Security, Committee on the Judiciary. This material is available at the Committee and can be accessed on the Committee Repository at:

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THE EFFECT OF SANCTUARY CITY POLICIES ON THE ABILITY TO COMBAT THE OPIOID EPIDEMIC

THURSDAY, FEBRUARY 15, 2018

HOUSE OF REPRESENTATIVES

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY

Washington, DC

The subcommittee met, pursuant to call, at 9:00 a.m., in Room 2141, Rayburn House Office Building, Hon. Raul Labrador [chairman of the subcommittee] presiding.]

Present: Representatives Labrador, King, Jordan, Buck, Johnson of Louisiana, Biggs, Lofgren, Gutierrez, Jayapal, Jackson Lee, and Raskin.

Staff Present: Joseph Edlow, Counsel; Sabrina Hancock, Clerk; and Maunica Sthanki, Minority Counsel.

Mr. LABRADOR. The Subcommittee on Border and Immigration Security will come to order. Without objection, the chair is authorized to declare recesses of the committee at any time. We welcome everyone to today's hearing on the effect of sanctuary city policies on the ability to combat the opioid epidemic. And now I recognize myself for an opening statement.

One of the more destructive byproducts of irresponsible and lax immigration enforcement under the Obama administration was the rise of the sanctuary jurisdiction. Sanctuary jurisdictions nationwide continually refuse to cooperate with ICE and actively violate or disregard Federal law. This committee has repeatedly delved into the complex issues surrounding these practices, but the problem persists, and it is becoming endemic among many metropolitan communities.

For several congresses, we have heard countless stories of sanctuary practices and the havoc they wreak on public safety, national security, and the sanctity of the rule of law in this country. Unfortunately, little has changed even with the change of administrations. Instead of working with the Federal Government, specifically ICE, to create a framework for cooperation, these jurisdictions have chosen to dig in deeper.

Last year's announcement by San Francisco that the city would no longer participate in the Joint Terrorism Task Force for fear of coming into contact with immigration issues has only been exacerbated by audacious State policy.

In 2017 the States of Illinois and California passed legislation that will tremendously limit the ability of State and local law enforcement agencies from working with or even contacting ICE. While the long-term effects of the framework have yet to be truly realized, these laws will absolutely have far reaching impacts on public safety and ultimately constitutional law.

While this committee continues to work toward an end to sanctuary practices and a reinstatement of immigration enforcement nationwide, we cannot forget or largely ignore consequence of these ill-conceived policies. In many of these communities local law enforcement agencies that have traditionally enjoyed strong professional relationships with Federal law enforcement partners are being forced, through no fault of their own, to dissolve those relationships.

This hearing focuses on the continual fight against the opioid epidemic that is raging in this country. We are not here to discuss the underlying causes of the epidemic. And to be sure, this committee is not asserting that sanctuary policies have caused such an epidemic.

But the fight against opioids at the law enforcement level has, as asserted by our witnesses' written testimony, greatly relied on strong Federal partnerships, including partnerships with ICE. The crimes associated with the opioid crisis, including drug trafficking and violent felonies, require coordination, cooperation, and most importantly, communication.

Nowhere is this more clearly demonstrated than in Denver, Colorado. At a time when drug crimes are soaring in the city, Denver has made a policy decision to not work with ICE and to make a poor distinction that immigration enforcement is unrelated to law enforcement activities.

While the correlation between the two is incontrovertible, Denver is following the lead of many other cities and threatening those law-enforcement officers that would violate such a policy. These practices not only fail to recognize the benefit of strong cooperation, but also fail to see just how closely immigration enforcement and drug enforcement are connected.

With the influx of narcotics smuggling, especially in opioids, through our porous borders, it is often the tools of immigration enforcement that provide best practices to interdict and dismantle those operations. Just this week, Fox News reported that an alien deported three times was arrested in Florida for the intent to distribute over \$400,000 of methamphetamine. Our public safety and our public health are tied to eradicating opioids which can never be accomplished when the force multiplier that is ICE is sidelined based on political expediency and grandstanding.

I want to thank Congressman Buck for bringing this issue to the foreground and for suggesting this important hearing. I also want to thank all the witnesses for being here today, and I look forward to this discussion. The time for Congress to act on sanctuary policies is long overdue, but I am confident that placing a continued focus on this issue will assist in the eventual reversal of such dangerous policies and practices.

I now recognize our ranking member, Ms. Lofgren of California, for her opening statement.

Ms. LOFGREN. Today's hearing asks us to examine the nexus between so-called sanctuary city policies and the opioid epidemic. I say "so-called," because it is important to note at the outset that the term sanctuary city has been used to describe pejoratively a wide variety of community originated law enforcement policies.

For example, Dayton, Ohio will honor ICE detainers if an individual poses a threat to national security or is a suspect in a felony offense involving violence or trafficking, and there is reason to believe the person lacks legal status.

In my home State of California, there is State law that local law enforcement will notify ICE about individuals where certain criminal offenses allows for transfer to ICE only after a conviction. And these policies are considered by my local police department as community trust policies where they can make sure that community members will continue to cooperate with the police because they are not perceived as being immigration agents.

I would note also that although our Attorney General has been quite vocal in opposition to policies that refuse to recognize so-called detainers, a court decision in the Central District of California just last week found that it violates the Fourth Amendment to do what the Attorney General is asking local governments to do.

And I will just quote on page 41 of the decision, "The Los Angeles Sheriff's Department officers did not have probable cause that the individuals were involved in criminal activity but were instead holding these individuals on the basis of civil immigration detainers. The LASD officers had no authority to arrest individuals for civil immigration offenses, and thus detaining individuals beyond their date for release violated the individuals' Fourth Amendment rights, and likely those individuals will obtain monetary damages for the violation of their rights."

So I think it is important to know that we have to have respect for the different levels of government; the Federal Government does one thing; State and local do others. There is no one-size-fits-all.

I also think that to connect the opioid epidemic with the community trust policies is rather misplaced. You know, the Centers for Disease Control indicates that most opioid deaths have occurred in rural areas with small immigrant populations, not in large cities. In 2016, for example, West Virginia, a State with relatively few immigrants and few, if any, so-called sanctuary cities saw the highest number of opioid deaths per capita. And States with high immigrant populations and urban community trust policies, such as California and Texas, experienced relatively low numbers of opioid deaths.

Now, the opioid crisis is a result of multiple systematic factors. Nearly all experts agree that it is an American-made problem that originates with our prescription drug industry. As Professor Keith Humphreys explains in his testimony, the opioid epidemic was made in America, not in Mexico, China, or any other foreign country. And the suggestion that mass deportation would solve the opioid crisis, I think, is ridiculous. And it derails a productive bipartisan conversation on the opioid epidemic.

Now, numerous experts have concluded that we cannot arrest our way out of the epidemic; we cannot deport our way out of it

either. Even if we were to deport all 11 million undocumented immigrants from our country, we would still have an opioid crisis on our hands.

The opioid crisis can only be solved by assembling experts, medical professionals to assemble policies that will get at the root of this devastating crisis. But at a time when facts play a minor role and politics are in the driver's seat, some are using the immigrant community as a scapegoat, I think, for a complex societal problem that is, really, unrelated to immigration policy.

So I would challenge all of us today to take a break from that pattern and to work together to see if we could not come to grips with the serious opioid epidemic that is facing our country.

And with that, Mr. Chairman, I yield back the balance of my time.

Mr. LABRADOR. Thank you, Ms. Lofgren. Just for the record, I do not think anybody's suggesting that mass deportation would solve the opioid crisis. I think you will see from all the witnesses that not a single one of them suggests that. But I thank you all for being here.

Without objection, other members' opening statements will be made part of the record.

Mr. LABRADOR. We have a distinguished panel here today. The witnesses' written statements will be entered into the record in its entirety. I ask that you summarize your testimony in 5 minutes or less. To help you stay within that time, there is a timing light on your table. When the light switches from green to yellow, you will have 1 minute to conclude your testimony. When the light turns red, it signals that your 5 minutes have expired.

Before I introduce our witnesses, I would like you to stand and be sworn in.

Do you swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?

Let the record reflect that the witnesses answered in the affirmative. Thank you. Please be seated. I would like to yield to the gentleman from Colorado, Mr. Buck, to introduce Detective Rogers.

Mr. BUCK. Thank you, Mr. Chairman for the opportunity to introduce a dedicated public servant, Detective Nick Rogers.

Detective Rogers serves as the president of the Denver Police Protective Association. He is a 32-year veteran of the City and County of Denver's Police Department, serving as a detective for the District 4 Narcotics Investigations Unit of the Denver Police Department for the last 20 years.

He brings a strong understanding of the tactics that narcotics traffickers use to feed the scourge of opioid addiction throughout our Nation, especially in my home State of Colorado.

Detective Rogers will also tell us about the severe restrictions the City and County of Denver have placed on all Denver police officers, hampering officers' ability to communicate with ICE following apprehension of heroin peddlers who are in this country illegally.

Thank you, Detective Rogers, for agreeing to be here today. I also want to thank Chairman Goodlatte for bringing attention to this issue. Finally, I want to thank Chairman Labrador for holding this important hearing today. With that, I yield back the balance of my time. Thank you.

Mr. LABRADOR. Thank you. Now I will introduce Sheriff Louderback. Sheriff Louderback is a 35-year law enforcement veteran serving his fourth term as Sheriff of Jackson County. He is currently the Legislative Chairman for the Sheriff's Association of Texas, and is a past president of SAT. He has spoken nationally on Federal immigration policies and is a nationally published author on immigration legislation.

Locally, Sheriff Louderback has led the 287-G program in the Gulf Bend region. Sheriff Louderback also serves on the Jail Advisory Committee, TCOLE Advisory Committee, and is a past board member of the Texas Association of Counties. He is an active member of the Gulfman Community Collaborative and serves on the National Sheriff's Association Immigration Committee and Governmental Affairs Committee.

Ms. Jessica Vaughan has been with the Center for Immigration Studies since 1992 where she served as director of policy studies. Prior to joining the Center, Ms. Vaughan was a Foreign Service Officer with the State Department where she served in Belgium, Trinidad, and Tobago. She is also an instructor for senior law enforcement officer training seminars at Northwestern University's Center for Public Safety in Illinois.

Ms. Vaughan has a master's degree from Georgetown University and earned a bachelor's degree in international studies at Washington College in Maryland.

Professor Keith Humphreys. Dr. Humphreys is a professor and the section director for mental health policy in the Department of Psychiatry and Behavioral Sciences at Stanford University. He is also a senior research career scientist at the VA Health Services Research Center, Palo Alto, and an honorary professor of psychiatry at the Institute of Psychiatry, King's College, London.

Dr. Humphreys has served as a member of the White House Commission on Drug-free Communities, the VA National Mental Health Task Force, and the National Advisory Counsel of the U.S. Substance Abuse and Mental Health Services Administration. He also served one year as senior policy advisor at the White House office of National Drug Control Policy during the Obama administration.

I now recognize Detective Rogers for his statement.

STATEMENTS OF NICK ROGERS, PRESIDENT, DENVER POLICE PROTECTIVE ASSOCIATION; A.J. LOUDERBACK, SHERIFF, JACKSON COUNTY, TEXAS SHERIFF'S OFFICE; JESSICA VAUGHAN, DIRECTOR OF POLICY STUDIES, CENTER FOR IMMIGRATION STUDIES; AND KEITH HUMPHREYS, DEPARTMENT OF PSYCHIATRY, STANFORD UNIVERSITY SCHOOL OF MEDICINE

STATEMENT OF NICK ROGERS

Mr. ROGERS. I am new at this. I am sorry. This is my first time, probably my last. I appreciate it; I really do.

Beginning in 2006, I began to see heroin on the streets of Denver. As the arrests grew, I was able to interview both sellers and buyers. It became apparent the source of heroin was coming from

Mexico, and the parties selling it were also from Mexico and Honduras.

Early on, I found that almost all the buyers of the heroin were middle-class white young adults from the suburbs. Each one had a story to tell, but the overwhelming consistent part of the story was that they started their own opiate addiction by taking their parents' leftover pain pills, slowly becoming addicted to them.

Some had been involved in an accident or had a surgery, with the common thread of taking oxycodone and becoming addicted to it. Each of these stories wound up on the streets of Denver because buying pills on the street is too expensive, and they all turned to the cheaper opiate, heroin.

The heroin dealers also had a common story. They were mostly young 18- to 25-year-old illegal aliens, mostly from Mexico. But as the years went by, some started coming from Honduras and Nicaragua. They were all in possession of several ounces of heroin, had a fake ID from Mexico—Sinaloa most common.

Some of these arrests led to what was known as “the office”; a location, usually a higher end apartment, which is used only to stash heroin and large amounts of money. Many of these offices produce tens of thousands, if not hundreds of thousands of dollars in cash waiting to be sent back to Mexico. Each office had produced an average of one pound of heroin located there.

I began to see a disturbing trend. I started to arrest the same parties twice. For example, working in an undercover capacity, I bought heroin from an illegal alien, arrested him, charged him with distribution of a controlled substance and had an immigration detainer placed on him, believing this would end that suspect's involvement in the narcotics trade.

Several months to maybe a year or so later I arrested the same suspect who was now wanted for failing to appear on the first case, and is now in possession of heroin for a second time.

The only change was the suspect was now in possession of a new fake ID with a different name. This became common practice in my unit, as well as other narcotics units around the city. Arresting illegal aliens for possession of large amounts of heroin, cocaine, and methamphetamine, who are now living under fake names, all the while being wanted on failing to appear for charges, appear on other drug charges.

During a typical arrest, as I described above, I would contact one of two ICE agents, Nick Fowler or Kevin Cruz, both of whom I worked closely with here in Denver. These two ICE agents did a fantastic job and were invaluable to us during those early years. They would respond any time of day or night to assist us. They would interview the suspects and ultimately put a detainer on those suspects if they were, indeed, here illegally. They often found that the person they were interviewing had been deported before; sometimes they had been deported several times.

In October, 2017 this all changed. The City and County of Denver placed several restrictions on all DPD officers, forbidding them to contact ICE, as we had done so many times before. The city adopted an ordinance, 17-0940, placing these restrictions on DPD officers. We were informed that if we communicated with ICE, we were subject to discipline up to and including termination. We were

also told that if we violated the ordinance, we were subject to criminal prosecution and would be fined up to \$999 and a term of incarceration not to exceed 300 days in jail. I have provided an actual ordinance for you to read.

The individuals I am speaking about did not sell and distribute narcotics; they committed burglaries—auto thefts and robberies—just to name a few of their crimes. I think it should be noted that in all the years I have dealt with ICE, I cannot remember a single time our coordinated efforts were targeting minor offenses.

In short, the only parties we ever worked together on were felons who had committed serious crimes. I also need to emphasize that illegal aliens are only a small percent of individuals that I deal with daily. Each day brings a new case, a new set of suspects, who span the entire gamut of all walks of life.

The ordinance has had a chilling effect on our daily operations. We can no longer call and share information with ICE. They can no longer call and ask us for assistance or ask for intel on suspects involved in criminal activity. The ordinance has created, in my opinion, a city that is much less safe than it was prior to this ordinance.

Detective Roger's written statement is available at the Committee or on the committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-Bio-RogersD-20180215.pdf>

Mr. LABRADOR. Twenty more seconds. You are good?

Mr. ROGERS. I skipped a little paragraph.

Mr. LABRADOR. All right.

Mr. ROGERS. I will be all right.

Mr. LABRADOR. Thank you very much for your testimony. Sheriff Louderback.

STATEMENT OF A.J. LOUDERBACK

Mr. LOUDERBACK. Chairman Labrador, Ranking Member Lofgren, and the other distinguished members of the immigration subcommittee: how can law enforcement be told, instructed, and ordered to not work together with all law enforcement agencies in this country? How, as a Nation of laws, can we not cooperate in the law enforcement field? How can law enforcement protect our citizens when cities, counties, and States will not partner against criminality?

Law enforcement officers who have sworn to uphold the law is being used to undermine the law. Law enforcement faces a constant flow of opioids, trafficked humans, criminal aliens to our communities. Nowhere is it clearer than sanctuary cities, which is creating a safe haven for criminality. Wherever sanctuary policies exist, your law enforcement is not able or permitted to cooperate, communicate, or partner to fight crime as a team, or honor our laws of this country.

This is, and has always been, a serious public safety issue. Thank you.

Sheriff Louderback's written statement is available at the Committee or on the committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-Wstate->

LouderbackA-20180215.pdf Mr. Labrador. Thank you very much.
Ms. Vaughan.

STATEMENT OF JESSICA VAUGHAN

Ms. VAUGHAN. Thank you, Chairman Labrador and Ranking Member Lofgren, for the opportunity to participate today.

The opioid epidemic has been nothing short of horrific; tragically destructive to families and potentially to our communities. And, of course, we must help those who are struggling with addiction and substance abuse with treatment and other support, but we will not make progress on this crisis until we disrupt and dismantle the criminal organizations that bring these deadly substances into our communities.

Local law enforcement agencies cannot do it on their own. Neither can the DEA nor the FBI. Because these deadly drugs are coming in from across our borders, immigration enforcement is a critical element in that effort. For it to succeed, there must be robust and unfettered cooperation between all of the local, State, and Federal law enforcement agencies who are dedicated to fighting these criminal organizations.

And let's be clear, proponents of sanctuary policies claim that the policies are necessary either for community trust reasons or legal reasons. But these are bogus arguments. In truth, sanctuary policies are purely political and intended to thwart the enforcement of immigration laws that these political leaders disagree with, but which were enacted through our democratic process, and which Americans support.

But there is a human cost to this politicization of law enforcement, and Congress cannot allow it to continue. According to the DEA, about 80 percent of the illegal opioids sold in this country are brought in by foreign criminal organizations, primarily the Mexico-based drug cartels, and especially the Sinaloa Cartel.

They have cells in the United States; they work with other criminal groups to distribute the drugs—sometimes street gangs like MS-13, which also have a lot of members are noncitizens, many recently arrived. The fact that these operatives are in the country illegally is a major vulnerability that law enforcement agencies must take advantage of.

There are three ways that sanctuary policies are compromising our ability to win against the foreign drug traffickers. First, they interfere with communication and block access to information as we have heard from the officer from Denver. A common type of sanctuary policy is to prohibit the questioning of suspects about their immigration status. And that means they have to look the other way in immigration violations, missing an opportunity to keep the criminal off the streets. It also means that they are less likely to detect imposters, people using aliases, fraudulent documents. That is all a common occurrence among drug traffickers, especially those who have been deported once already.

Local officers typically are not trained to recognize immigration documents or signs of ID theft by foreign nationals, and they need the discretion to contact the DHS agencies that can assist in identifying criminal aliens involved in the drug trade.

Second, sanctuary policies inevitably result in the release of criminal aliens back to the streets where they can, and do, re-offend, just like American criminals do. According to ICE, since January, 2014 there have been 10,000 criminal aliens who were released by sanctuary policies who were later arrested for another crime after their release.

These crimes create needless victims. ICE rearrests only about 40 percent of them. A lot of them were released during the Obama administration and failed to appear for their hearings as the officer noted. So there is a lot of cleanup work that ICE now has to do because of these policies.

Finally, sanctuary policies can act as a magnet for foreign criminal organizations because they know that immigration violations will be overlooked, and that their use of fraudulent documents and aliases is less likely to be detected. Just two nights ago Fox News ran a story about ICE sanctuary cleanup operations in California. And they had a criminal alien on camera saying how disappointed he was to be arrested because he thought he was safe in California, because it was a sanctuary State.

On this same operation, participants observed how absurdly time-consuming it has become for ICE in California, because instead of arresting dozens of criminal aliens at a time in the jails, ICE offices must stake them out at their homes where the criminal aliens know ICE cannot enter without consent; and they sometimes stand in the windows, laughing at the ICE officers. Eventually they come out and ICE gets them, but this is a very costly way to go about removing criminal aliens who could be picked up in the jail if ICE were not blocked by this irresponsible California law.

Congress can do something about this. Local politicians are not going to reverse these policies on their own, so Congress must act to clarify the legal authorities that support immigration enforcement and to impose consequences on sanctuary jurisdictions and the officials who are responsible for these destructive policies.

Also, Congress should update immigration laws to make sure that criminals who are involved in the drug trade and gang members are excludable from the country and cannot obtain visas, work permits, green card citizenship, or any immigration benefit. Thank you.

Ms. Vaughan's written statement is available at the Committee or on the committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-Wstate-VaughanJ-20180215.pdf>

Mr. LABRADOR. Thank you. Dr. Humphreys.

STATEMENT OF KEITH HUMPHREYS

Mr. HUMPHREYS. Thank you, Chairman Labrador and Ranking Member Lofgren, for having me testify today.

My comments reflect my 30 years of experience as a clinician and researcher in the addiction field, and also my service as a White House drug policy advisor in both the Bush and Obama administrations. And I mention that to say that is because drug problems affect all of us. I tried to work on them in a bipartisan fashion.

In the first 15 years of this century more Americans died of drug overdose than died in World Wars I and II combined. 2016 death

toll was 64,000 people, about 80 percent of which involved opioids, is worse than AIDS in the peak year of that terrible epidemic. To push back on this epidemic, we have to analyze it dispassionately and deploy our resources strategically. In that regard, I think there are many high-impact policies available to us, but I do not think that cracking down on sanctuary cities is one of them.

I was born and raised in West Virginia, which is ground zero of this epidemic. I go back home frequently to help my home State deal with the ravages of opioid addiction. West Virginia is emblematic of where this epidemic has taken hold; in rural areas that do not have sanctuary cities. A lot of people would say we do not even have cities. Recent immigrants are rare, yet opioid addiction is rampant. That is because this epidemic was made in America, not somewhere else.

Beginning in the 1990s, American companies such as Purdue Pharma produced a generation of doctors and healthcare regulators to dramatically increase opioid prescribing. As a result, the U.S. now dwarfs all other nations in opioid consumption. We are number one in the world. And if we cut our prescribing by 40 percent, we would still be number one in the world, not a distinction of which to be proud.

The astonishing increase in providing opioids which at its apex reached a quarter billion prescriptions a year is what started and helps maintain our opioid epidemic. And again, prescription opioids come from American companies, prescribed by American doctors, overseen by American regulators. Immigrants have no part in it.

It is absolutely true that some criminals from other countries deal heroin in the United States. But as documented in journalist Sam Quinones' excellent book, "Dreamland," those dealers came here to capitalize on people already addicted to prescription opioids, as Detective Rogers said as well.

Few people decide to spontaneously use heroin laced with fentanyl. But many people get pushed to that point after first becoming addicted to prescription opioids. Arresting heroin dealers from other nations will thus never eliminate the root of our problem.

Similarly, President Trump's proposal to build a wall on the Rio Grande is ill-directed when the healthcare system puts out enough opioids each year for every American adult to be medicated around the clock for a month.

There are, however, other policy options that would make a much bigger difference, and because Congress has very wisely appropriated \$6 billion to fight the opioid epidemic, we now have the resources to begin putting them into place.

Two sources of good ideas are the Surgeon General's report on facing addiction that was released 14 months ago, and the President's Commission on Combating Addiction and the Opioid Crisis, which began offering proposals beginning last summer.

Here are some of their good ideas. We should enhance prescription drug monitoring programs which help prescribers identify doctors/shoppers who are addicted, diverting pills to sell, or both. These programs also help law enforcement identify pill mills. We should ensure that non-opioid pain treatments are adequately re-

imbursed by insurance. As a major purchaser of healthcare, the Federal Government has a lot of leverage in this area.

Congress should direct the Department of Labor to actively enforce the provisions of the 2008 Mental Health Parity and Addiction Equity Act. This law, which was passed by overwhelming bipartisan majorities in Congress, says that insurers of large companies have to cover employees' addiction care at the same level they do other care. Many insurers have violated the regulations and denied life-saving addiction treatment to people who need it and to which they are entitled to it.

We need to get naloxone, the life-saving overdose reversal drug into the hands of every first responder in this country. As a major purchaser, the Federal Government should in this emergency situation waive its rule forbidding negotiation of drug prices and purchase the medication on a massive scale for distribution to our Nation's first responders.

And last, but not least, we should augment Medicaid's role as a payer for addiction treatment. We have unfortunately been moving in the opposite direction with efforts to curtail Medicaid expansion, impose work requirements, and cut funds from the program. Instead, we should be increasing the number of people covered so that opioid addicted individuals can receive the treatment they need to restore them to health.

I hope this sampling of effective policies gives a flavor of how we can best focus our energies responding to an epidemic that was made in America, and to which the solutions are within America as well. Thank you again for the opportunity to testify. I look forward to your questions.

Mr. Humphreys' written statement is available at the Committee or on the committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-Wstate-HumphreysP-20180215.pdf>.

Mr. LABRADOR. Thank you very much. We will now proceed under the 5-minute rule with questions. I will begin by recognizing myself for 5 minutes.

Detective Rogers, in your opinion and in your experience, what, if any, will be the consequences of continued policies that limit the Denver Police Department from working with or communicating with ICE?

Mr. ROGERS. I truly believe the fact that we are allowing the same people to just be recycled and continue to sell the heroin to profit the cartels—I am a realist. I realize that if you take someone off the streets, they are going to replace them with someone else. But you have to disrupt the trade. You cannot allow them to just sell it without the consequences.

And I truly believe that if we do not come up with a way to enforce not only our laws, but the Federal laws and have the people that are here illegally selling these drugs deported, we are never going to get a hold of that side of the problem. Does that make sense?

Mr. LABRADOR. Yeah. So in your capacity as the president of the DPPA, what has been the response to the ordinance from your membership?

Mr. ROGERS. Well, that is why I am here, sir.

Mr. LABRADOR. Yeah.

Mr. ROGERS. My membership is not happy. They feel that they are being handcuffed; they are being not allowed to do their jobs. We represent almost 1,500 officers, and——

Mr. LABRADOR. You mentioned that it would have a chilling effect. What did you mean by that?

Mr. ROGERS. Well, to me, this ordinance has taken that component of my job away. As I testified to, I would call these two ICE agents. And I knew that if I contacted them and they showed up, that I would probably never see that specific heroin dealer on the streets of Denver again; that they would take charge and have them deported.

Mr. LABRADOR. To your knowledge, has the Denver Police Department taken any action in the form of discipline, termination, other sanctions against officers who have continued to work with ICE?

Mr. ROGERS. Not yet. I do not think anybody wants to be the test case, to be perfectly honest with you, sir.

Mr. LABRADOR. Okay. Sheriff Louderback, do you believe sanctuary policies allow for narcotics to flow more efficiently across our borders?

Mr. LOUDERBACK. Chairman, one of the key aspects of law enforcement, one of the fundamentals that we have is cooperation. You lessen our ability to communicate, operate, work together on any of these issues, then you have handcuffed law enforcement unnecessarily. It is one of the fundamental issues that we face as law enforcement. We work together. Sheriffs stand together on this issue nationwide.

Mr. LABRADOR. So, how can ICE be a positive force in combating the opioid epidemic at the State and local level?

Mr. LOUDERBACK. By cooperation and by removal. There has to be a handshake between all law enforcement agencies in this country in order for us to accomplish our goal of protecting the public. If we are not able to do that, if we cannot work together and cooperate across this Nation and figure out a way to do that effectively, then that is a serious public safety issue.

Mr. LABRADOR. Thank you. Ms. Vaughan, do you believe that law enforcement can cut off a large segment of the illegal opioid market through Federal and local immigration cooperation?

Ms. VAUGHAN. Yes, indeed. Since the vast majority of the illicit opioids that are being trafficked are brought in by foreign organizations, if we could improve border security in a variety of ways, and also importantly, interior immigration enforcement, and go after them where they are doing the distribution, which is all over the country. By taking out these organizations and the people who staff them, that would make a big dent in the availability of opioids in our communities, and it would deter a lot of this illicit activity.

Mr. LABRADOR. Our sanctuary policies allowing illegal immigrants with drug charges to avoid ICE detainers?

Ms. VAUGHAN. Sometimes, yes. If they have a policy in place that does not permit any cooperation with ICE, if they are forced to release criminal aliens that ICE has issued a detainer for, absolutely. That sends that criminal alien back to the streets to keep working

for the drug trafficking organizations. And they feel enabled to go about their illegal business.

Mr. LABRADOR. Dr. Humphreys, I do not think I disagree with much of what you said, and I think we may be having two different hearings today, because we are not claiming that this is not an American-made problem. But you claim in your testimony that immigration, by extension immigration policy, has no part in the ongoing opioid epidemic. How do you respond to Detective Rogers and Sheriff Louderback about their experiences in dealing with illegal opioid trade and drug smuggling into the United States from Mexico?

Mr. HUMPHREYS. So all of the heroin that is sent from Mexico to the United States each year would fit in 2,000 pieces of luggage. Fentanyl is even more potent and more compact. It is come through the mail. So, that shows how incredibly difficult it is to stop things at the border. We have to have some border security. We do have some border security.

The question, as you know, about where you want to invest your resources. So, if pouring, you know, billions of dollars into border security that we could spend on I think far more productive things in terms of the opioid epidemic, in terms of treatment, in terms of changing how prescribing works, and getting police officers, and Naloxone, all those things, I think that is where we are going to get the benefit, and not from border investment.

Mr. LABRADOR. Thank you.

Ms. LOFGREN. Thank you, Mr. Chairman. Dr. Humphreys, Detective Rogers has expressed his concern about Denver's policies. The city of Denver provided a two-page document explaining their efforts to combat the opioid epidemic. Did you have a chance to review their document, and what do you think about it?

Mr. HUMPHREYS. Yes, I did review the document. And it seemed to me they were doing a lot of intelligent things. They are expanding treatment; they are trying to use law enforcement in a productive way; they are trying to build relationships in the community so they can respond in an intelligent fashion to opioids; and they are also doing work around distributing naloxone. I am not an expert on Denver by any means, but based on that document, I think they have got some very smart people focused on this problem.

Ms. LOFGREN. You mentioned, and we know from our own reports, and in some cases our own districts, that the opioid crisis is disproportionately impacting rural America as opposed to urban centers; not to say that there is no problem in urban centers. Can you give us any insight into why that is happening, and what specific solution should be implemented in those areas of rural America where this crisis is overwhelming our society?

Mr. HUMPHREYS. So, you know, where I am from in Appalachia, you know, we have an incredible disinvestment. I mean there just are not the kind of jobs there were when I was a kid. You know, the mines do not employ as many people as they used to; families are under more strain; more and more people are working in low-wage jobs. That creates an environment, you know, where people under a lot of stress, where drugs are more rewarding because daily life is so tough. And it also creates a temptation to enter the illegal economy.

And what happened where we were was people started taking—they called it the OxyContin express—a flight from Charleston down to Florida, get a couple of garbage bags full of pills from a pill mill, fly back, and then sell them. It is the kind of thing I think people would not do if they were not economically stressed, but they get to that point.

So we have two things meet. You know, really difficult economic times, and just an explosion of pills like no country on earth had ever seen before. And that is why I think we got hit so hard and why we are still being hit so hard in Appalachia and in also rural areas in New England and Northern California as well.

Ms. LOFGREN. In terms of drugs coming in—you addressed this briefly—but we have got as a source obviously there is heroin that comes in across our borders, our southern border, our northern border through ports. There is fentanyl, which is I think primarily coming from China, but tell me if that is correct.

Mr. HUMPHREYS. That is right.

Ms. LOFGREN. How would we deal with the fentanyl issue, which is I do not know how many times more powerful than other opioids?

Mr. HUMPHREYS. So, I mean, part of this is a foreign-policy problem. I mean, engaging China, it is terrifically important. They can do more about this than we ever can from over here. And there has been some engagement, and China did ban some of these. Fentanyl has a whole class of analogs, and they are all, you know, 50, 100 times more potent than heroin. They can be helpful there.

There is some work being done by Senator Portman on also trying to get packages registered before they come to the United States, which may help in terms of interdiction at efforts abroad. We should try to do those things.

But fundamentally, this comes down to demand. Nobody will sell us drugs if we do not want to buy them. And that is always been the case. We are a wealthy country. If we want to buy drugs, someone will sell them. You know, people start making fentanyl in their garage.

So that means you come back to, you know, doing prevention in the United States, persuading people not to use them, getting doctors to prescribe rationally and carefully again, and providing treatment to those people who are addicted so that they get out of this situation and stop being massive consumers of these illegal dangerous products.

Ms. LOFGREN. I was fascinated. I did not realize, before your testimony, the amount of legal opioids that we have rolling around, swashing around our country. That is a shocking piece of information, and I appreciate your testimony. I think it certainly enlightens us as to what needs to be done.

Mr. Chairman, I would also like to ask unanimous consent. I have just received a letter from our colleague, Diana DeGette, with a statement from the City and County of Denver, where just to quote some of it, they say that “ICE, along with the FBI, has access to biometric data fingerprints on every individual booked into the Denver County Jail.

And to the extent Federal law enforcement officials have probable cause to arrest any individual housed in the jail, whether it

be for a civil or a criminal matter arising under Federal law, they may do so by obtaining a warrant.”

And that Denver’s choice was to limit its involvement in civil enforcement of Federal immigration laws. But that that should not be confused with their ongoing commitment to enforce criminal drug laws if such individuals commit crimes including drug crimes while present in the United States.

And I would ask unanimous consent to put Ms. DeGette’s letter, this statement, and a background document, Denver’s Public Safety Priorities Act, the overview of their efforts to address the opioid epidemic, the overview of the Denver Police Department’s drug enforcement efforts, the Q4 Tracker ICE Notification Release Documents; as well as statements from the Law Enforcement Action Partnership, the American Immigration Council, the Tahirih Justice Center, Church World Service, Immigrant Legal Resource Center, and the Drug Policy Alliance into the record.

Mr. LABRADOR. Without objection.

This material is available at the Committee or on the Committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-20180215-SD007.pdf>.

Mr. LABRADOR. I now recognize Mr. Buck.

Mr. BUCK. Detective Rogers, you just heard the statement from Congresswoman DeGette, and I think that you probably read some of the news accounts yesterday from some of the leadership at the Denver Police Department about the access that Federal officials have to fingerprints.

Do you want to respond to that and just tell us? Obviously not every American has fingerprints in the system that the Federal Government has access to. So, does that tell a Federal agency whether the person whose fingerprints are there is in this country legally or illegally? Does that help the Federal Government in enforcing immigration laws in any way?

Mr. ROGERS. No. I call it the three Ls. Lawyers taking liberties with language. Basically they—

Mr. BUCK. Do not belittle lawyers now, because you have got a lot of them on that Judiciary Committee.

Mr. ROGERS. I apologize to any attorneys here. They like to spin things. And God bless them, they do a great job of it. But at the end of the day, your fingerprint, if you get booked into the Denver City Jail, there is not a magic switch that goes to the FBI that says, ‘Hey, Nick Rogers is in jail right now.’ Now if Nick Rogers has a warrant for his arrest and my fingerprint is associated with that warrant, absolutely there will be a hit that comes back. That is what they talk about biometrics. That is a fantastic word.

But at the end of the day, when you arrest someone on the street that is selling heroin and has never been through the system before, there is no biometric feed to ICE or the FBI or anybody. The sheriffs take their fingerprints and they become part of a file at that moment. But they are not magically sent across the country, you know, claiming you are illegal or not legal. Does that make sense?

Mr. BUCK. It does. Let me ask you some other questions. Are you familiar with the slideshow that was prepared by the Denver Police

Department to explain the new ordinance that was passed by the Denver City Council?

Mr. ROGERS. Yes. I believe that is the training that we all went through. All officers had to go through that training.

Mr. BUCK. That is correct. And I do not have page numbers on this, but I am going to offer this, Mr. Chairman, to be part of the record.

Mr. LABRADOR. Without objection, it will be made part of the record.

This material is available at the Committee or on the Committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-20180215-SD003.pdf>

Mr. BUCK. Thank you. Detective Rogers, one of the statements in this slideshow says the act of being present in the United States in violation of Federal immigration laws is not, standing alone, a crime. Do you recall that slide?

Mr. ROGERS. I do.

Mr. BUCK. And are you aware of the fact that if you enter this country illegally, it is a Federal crime, and if you overstay a visa in this country, it is not a Federal crime?

Mr. ROGERS. Correct.

Mr. BUCK. And do you also understand that until ICE inquires of an individual, they do not know whether that individual received a visa or legal status to enter this country, so they have no way of knowing until there is cooperation among law enforcement agencies whether this particular individual committed a crime or is in violation of Federal civil law? Is that fair?

Mr. ROGERS. Absolutely.

Mr. BUCK. And also in this slideshow it talks about—I do not know if it is meant to be sarcastic or affirming in some way—but it says, this sounds similar to what we have always done, with a question mark, as if the ordinance did not really change policy.

And what I want to ask you is there is a paragraph in here that reads, 'No access for ICE to city-owned law enforcement facilities beyond access granted to the general public.' Is that a change in policy as a result of the ordinance that was passed by the Denver City Council?

Mr. ROGERS. Yes.

Mr. BUCK. And in fact is it not true that ICE worked alongside Denver narcotics officers—and I think it was in District 3, not necessarily your district—on a heroin distribution gang out of Honduras that resulted in 59 deportations. Is that correct?

Mr. ROGERS. I am not familiar with that case, but I have had similar cases that I have worked with ICE where we would all brief in my office. And we would sit in our conference room and, you know, we would put together our tactical plans for that day for those arrests. So, those ICE agents were welcome in the front door. They are no longer able to even come through the security door. They do not even come in the parking lot anymore.

Mr. BUCK. And what is the effect of that on the enforcement of narcotics laws in Denver?

Mr. ROGERS. It is made it more difficult for us on the street, because they have information that we do not; we have information that they do not. And when we get together and we start talking

about who is doing what in certain neighborhoods, it is amazing how many narcotics we can get off the street when we cooperate with those individuals.

Mr. BUCK. Sheriff Louderback, any comments on that?

Mr. LOUDERBACK. Sanctuary policies reduce the risk of criminality. And we cannot cooperate, there is your public safety nexus.

Mr. LABRADOR. Thank you. And I will recognize the gentlelady from Washington.

Ms. JAYAPAL. Thank you, Mr. Chairman, and thank you all for being here to testify before us.

Mr. Chairman, I am confused about why our House Immigration Subcommittee is having a hearing on something that has no factual basis in connecting so-called sanctuary city policies with the opioid crisis when there is a massive debate raging on immigration issues on the Senate floor; when 800,000 DREAMers face deportation in 3 weeks, and when this Committee has yet to raise any bill related to protecting DREAMers, something that is supported by 90 percent of the American people across Republican and Democratic districts. I am confused, frankly, about why we are having this hearing.

And it would be laughable if it were not so serious; if it were not so hurtful to the characterization of immigrants across this country, that somehow immigrants are responsible for all these terrible things, including now, apparently, the opioid crisis. And by the way, hurtful to those who are suffering from the opioid crisis. I have great respect for Dr. Humphreys and the work that you have done to, in a bipartisan way, combat what is truly a terrible crisis in this country.

But I forgot that there are some people in this body on the other side, and some people outside of this body on the other side who really delight in scapegoating immigrants and do not want to recognize that immigrants contribute to the economy every day. And to blame one person who is an immigrant for the crimes of everybody else, and to somehow pin responsibility for some of these terrible things that are happening in our country is a good tactic for dividing and scapegoating and driving up fear and hatred.

Mr. Chairman, the latest falsehood is outrageous. Immigrants are certainly not making the opioid crisis worse. And alleging that deporting or cracking down on immigrants is somehow actually going to fix this very real situation is a falsehood. Here are the facts. We know we cannot arrest or——

Mr. LABRADOR. Would the gentlelady yield?

Ms. JAYAPAL. No.

Mr. LABRADOR. No one has said that. Everything you have said, not a single person——

Ms. JAYAPAL. Mr. Chairman, I believe this is my time, and I am not yielding.

Mr. LABRADOR. Okay. Thank you.

Ms. JAYAPAL. Thank you so much. I appreciate that. We know we cannot arrest our way out of the opioid crisis. And what we should really focus on are the underlying causes. And we do need to make sure that law enforcement, because we appreciate what you do in your jobs, has the tools in the first place to help keep people off their addictions.

One example of that is the Law Enforcement Assisted Diversion Program, the LEAD program, that we pioneered in Seattle that Representative Jim Sensenbrenner and I have worked in a bipartisan way to continue to get funding so that you all have the resources that you need. But we know that community trust does matter in combating crime in local cities and counties across the country.

Last year, our King County prosecutor wrote in an op-ed that, “We are not safer when victims of crime fear being deported if they call 911, talk to the police, or come to a courthouse to get protection. We are not safer when a victim of abuse thinks that she must choose between deportation or suffering more violence at the hands of her abuser. An unpunished violent crime threatens us all.”

And then, he goes on to say, “My alarm is not theoretical. Last year our office—” again, this is a Republican King County prosecutor—“our office worked with 67 undocumented immigrants, more than 300 in the last 5 years, to prosecute crimes ranging from murder and rape to domestic violence. Without that cooperation and trust of undocumented immigrants, we would not have been able to get some dangerous offenders off the street.”

Mr. Chairman, I ask unanimous consent to submit this op-ed for the record.

Mr. LABRADOR. Without objection.

This material is available at the Committee or on the Committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-20180215-SD005.pdf>

Ms. JAYAPAL. Thank you, Mr. Chairman. Just recently we saw another terrible example of what this fear is doing in our communities. We learned that a 14-year-old girl in Bellevue, Washington, my home State, suffered molestation for nearly 2 years. The reason that she did not come forward to seek safety is because her abuser threatened to have her mother deported.

And in another case, a man in Tukwila, Washington called 911 to report a person that he suspected of breaking into cars on his block. The local police took him to ICE because he had an ICE administrative document that popped up in the system. And ICE calls this a warrant, but it is misleading because there is no oversight by a third-party like the judge. Now, the local police are bending over backwards to try and win back the trust of immigrants and their family and friends.

Mr. Chairman, I ask unanimous consent to enter into the record two news stories on these cases.

Mr. LABRADOR. Without objection.

This material is available at the Committee or on the Committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-20180215-SD005.pdf>

Ms. JAYAPAL. Thank you, Mr. Chairman. Now I would like to ask—and this is a yes or no question for Sheriff Louderback—is it your contention that so-called sanctuary city policies have a substantial impact on your ability to counter the opioid crisis?

Mr. LOUDERBACK. Yes.

Ms. JAYAPAL. And have you read, Sheriff Louderback, the recommendations of the bipartisan Opioid Task Force? Just a yes or no.

Mr. LOUDERBACK. No.

Ms. JAYAPAL. Because if you had, you would see—because I am a member of that bipartisan task force and it has been working for several years on this very serious issue of the opioid crisis—nowhere in those recommendations is there any reference to sanctuary city policies as being critical.

Dr. Humphreys, can you tell us more—Mr. Chairman, I ask for an additional 30 seconds since the other side had an additional 30 seconds on the last round?

Mr. LABRADOR. Forty-five seconds.

Ms. JAYAPAL. Thank you. You are better than I even asked for.

Mr. LABRADOR. Thank you.

Ms. JAYAPAL. I thank you for that, Mr. Chairman.

Mr. LABRADOR. Okay. I already gave you an additional 45 seconds, so your time has expired.

Ms. JAYAPAL. I appreciate it very much.

Mr. LABRADOR. Yeah.

Ms. JAYAPAL. Dr. Humphreys—

Mr. LABRADOR. No. No. Your time has—

Ms. JAYAPAL. Oh, you did. Okay. All right. Thank you.

Mr. LABRADOR. I now recognize the gentleman from Iowa.

Mr. KING. Thank you, Mr. Chairman. I am just going to do the previous presenter. I turn to Ms. Vaughan. This morning I wrote a couple of numbers on my hand; \$116 billion and another one is \$38 billion, and I added them up and it is \$154 billion. This is out of an article written by FAIR just recently. Do you recognize those numbers, Ms. Vaughan?

Ms. VAUGHAN. Perhaps the cost of illegal immigration to State and local taxpayers and the Federal taxpayers?

Mr. KING. Exactly. And I wonder if you would care to comment to the remarks made by the gentlelady previous to me.

Ms. VAUGHAN. Yeah. I mean with respect to this so-called chilling effect that cooperation is supposed to have on crime reporting, what is important is that everyone needs to get the message; the victims and witnesses are not targeted for immigration enforcement, unless they also are criminals and are an appropriate priority.

And this notion that immigrants in the community have something to be afraid of in going forward to report crimes is put out there primarily by these advocacy groups that advocate against enforcement. It is a complete myth and completely unsubstantiated in either government statistics, academic research, or the real-life experience of law enforcement agencies.

Mr. KING. Thank you, Ms. Vaughan. Just an observation. As I am listening to this testimony about sanctuary cities, it makes me think of “Butch Cassidy and the Sundance Kid” and the Hole in the Wall Gang, where the criminals all went into that place in the canyon where there was a narrow notch that they could guard, and they lived in there happily ever after protecting themselves and each other from the impact of law enforcement.

And I would ask Sheriff Louderback, do you see any similarities in that with regard to our sanctuary jurisdictions across this country? Have they become something similar to the Hole in the Wall Gang?

Mr. LOUDERBACK. Respectfully, sir, that is a very good analogy.

Mr. KING. I thank you, and I appreciate your testimony about the cooperation required between every level of law enforcement. I grew up in a law-enforcement family, and I watched as every level of law enforcement reached out and helped each other. Wherever they had a skill set or a knowledge base, they shared information, they worked together.

Can you name another subject of law enforcement anywhere currently or in the history of this country where it is been a carve-out, where our local law enforcement declared they would not cooperate with any other level of law enforcement?

Mr. LOUDERBACK. Not that I am aware of.

Mr. KING. Detective Rogers, are you aware of any other circumstances similar to this with regard to immigration law?

Mr. ROGERS. No, sir.

Mr. KING. And I turn back to Ms. Vaughan because I remember you said the numbers 80 to 90 percent, and I just missed the definition of what that was and did not see it in your written testimony.

Ms. VAUGHAN. Of the opioids that are distributed in our communities, according to the Drug Enforcement Administration. And I think it is important to emphasize that—

Mr. KING. They come from where?

Ms. VAUGHAN [continuing]. This distribution is carried out by people. And many of those people are in this country without authorization. And those people are the subject of ICE and local law enforcement agencies. And that is how they disrupt the trafficking of these deadly drugs, and that is what keeps them off the streets.

Mr. KING. And that is why that number rung my bell, because probably as far back as 10 years ago I sat down with DEA, and they said to me that day that 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico.

Ms. VAUGHAN. That is right. Even the fentanyl. It might originate in China, but it is processed and imported by way of Mexico.

Mr. KING. And another statement that they made was in every illegal drug distribution chain in this country, at least one link goes through an illegal alien. Would that be consistent with what you know, Ms. Vaughan?

Ms. VAUGHAN. I am not familiar with that, but it is definitely true in certain parts of the country. Especially New England, that is certainly true.

Mr. KING. I would turn to Sheriff Louderback. Is that contrary to any of your knowledge, Sheriff?

Mr. LOUDERBACK. No. I think it is accurate.

Mr. KING. And Detective Rogers?

Mr. ROGERS. Yes. I agree.

Mr. KING. So, we can understand on this left side, doctor, because this is our law enforcement side of this thing, but I am hearing a consensus here that 80 to 90 percent of the illegal drugs consumed in America come from or through Mexico, and at least one link in the illegal distribution chain is an illegal alien. And I heard the gentlelady from Washington say that that is got nothing to do with immigration.

It would seem to me that if tomorrow morning everybody magically woke up in their home country where they could legally reside, it would instantly stop all of the illegal drug distribution in America. I do not doubt that there would be a reform of those drug distribution chains, because Dr. Humphreys does make the point that this is a demand on this side that we have to address as well.

And when I talk to the Mexicans about this in particular, I have to confess at the beginning, it is an American demand that is bringing about these drug deaths. But it is a distribution that comes across the Rio Grande River to us; needs to be addressed both ways. And in this Committee, we address it from the immigration side.

So I thank the chairman for holding the hearing and the witnesses for the testimony. And I yield back the balance of my time.

Mr. LABRADOR. Thank you. I now recognize the gentlelady from Texas.

Ms. JACKSON LEE. Mr. Chairman, thank you, and to the ranking member for her persistent leadership on these issues.

Frankly, to the witnesses, let me thank you for being here, but I would rather be talking about how we save the lives of children who have been murdered and slaughtered by assault weapons, of which this Congress and this Judiciary Committee has failed to act. I would imagine maybe if I would ask the Sheriff in a meeting of law enforcement officers—I am not sure if he is willing to speak to that here. Everyone is so afraid of organizations who oppose common sense, as to whether or not he would want a 19-year-old to have an assault weapon, and AR-15.

Not that I am interested in the issue of what gun you may have, since the Second Amendment is a constitutional right, but I would imagine that if the individual had a plain handgun that, although tragic, we might not have had that enormous loss of life. That is what we need to be discussing here this morning. Saving lives, saving lives. Rather than trying to mix apples and oranges.

Sheriff, what are the sanctuary cities in Texas? I see that you are from Texas. Welcome; fellow Texan. We are proud of each other and proud of your service, sir.

Mr. LOUDERBACK. Thank you.

Ms. JACKSON LEE. What are the sanctuary cities in Texas?

Mr. LOUDERBACK. Respectfully, ma'am, we do not have that issue. Senate Bill 4 was passed by the Texas Legislature in 2017. But we have a consistent application of law and cooperation with law enforcement with all law enforcement agencies at every level in the State of Texas.

Ms. JACKSON LEE. Well, let me just say that all of us living in Texas for more than 10 years, I assume, I know that bill was passed with a lot of hoopla, but there were no sanctuary cities even before that. And I have been on the Judiciary Committee for a very long time here in Washington, and that never came up about any sanctuary cities in Texas. So, I appreciate State law and that is probably where it should stay because there really is no consistency between the sanctuary cities and this opioid crisis.

The three Republican witnesses, have you read the report that my colleague from Washington State mentioned? The Opioid Task Force of the House report. The three witnesses? Sheriff, have you

read it? And I am a member of that task force, so nowhere in that report did they indicate that there was any correlation between sanctuary cities and the devastation of opioid. I think it is devastating.

Are you aware, Ms. Vaughn, of the \$1.3 trillion cut to Medicaid by the budget offered by the President and the Republicans?

Ms. VAUGHAN. I am not an expert on those kind of entitlement programs, but—

Ms. JACKSON LEE. You mean those life-saving programs. And so, I assume you know that the cure or the treatment of individuals with opioid has been heavily reliant on Medicaid. Are you aware of that?

Ms. VAUGHAN. I am not.

Ms. JACKSON LEE. Well, let me just put into the record that it is.

Dr. Humphreys, would you help us? Coming from an administration of another fellow Texan that you worked with and a great admirer of the Bush family. But in any event, is this an accurate correlation? We have heard our colleague talk about demand. We have had demand when it was cocaine, when it was crack, and we did not have the treatment protocols. So, how would sanctuary cities have any correlation? Demand is treatment protocols.

And when we speak of the issue of opioid crisis, we think of the New England, Northeast corridor, Midwest areas that have devastating poverty. And you look at some of the urban symptoms or cities, they may be engaged in drug activity, but we are talking about the crisis of opioids. Would you respond to that, please, sir?

Mr. HUMPHREYS. Well, Congresswoman, you described the situation extremely well. We, in the end, buy these drugs. We choose to do that. And that means we need to invest on the demand side. Prevention programs for kids, support for families, treatment for the addicted.

And then, we also need to control our own healthcare system, which is here—it does not come from anywhere else; it does not matter if it is a sanctuary city—that is spreading so many of these opioids out that people are getting addicted. And, you know, this problem started, you know, what, 20 years ago almost. I do not see any connection with sanctuary cities, and I do not think cracking down on them will affect our opioid problem at all. I think there are more productive things we could do.

Ms. JACKSON LEE. Just a quick question. You do not profess to be an immigration specialist, but my understanding of sanctuary cities may mean moms and dads, DREAMers, landscapers, people working in restaurants. That is just people who are undocumented. Do you understand that concept?

Mr. HUMPHREYS. Yes, ma'am.

Ms. JACKSON LEE. Is that you would have people that are undocumented, and you are not just raiding them and arresting them, which is going on now under this administration. Is that your understanding, sir?

Mr. HUMPHREYS. Yes, ma'am, with the stipulation I am not an immigration expert.

Ms. JACKSON LEE. Thank you. Thank you so much all the witnesses who came. We appreciate you.

Mr. Chairman, I would like to offer into the record that my colleague and I join together, the gentlelady from Washington, is "The Center for American Progress, the Effects of Sanctuary Policies on Crime and the Economy." I would like to offer that into the record as unanimous consent.

Mr. LABRADOR. Without objection.

This material is available at the Committee or on the Committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-20180215-SD004.pdf>

Ms. JACKSON LEE. Thank you. I yield, and again, I thank the witnesses for their service.

Mr. LABRADOR. Thank you. I recognize the gentleman from Arizona.

Mr. BIGGS. Thank you, Mr. Chairman. Thank you for holding this hearing today. I think it is very important, and I appreciate the witnesses, all four of you being here today. And I think you get a flavor of somehow we manage to turn every issue that we hear into some kind of political grandstand. So I will try not to do that, but it is a political place.

So, I want to just start with you, Ms. Vaughan. Are you familiar with the Arizona Immigration Law of SB-1070?

Ms. VAUGHAN. Yes, I am.

Mr. BIGGS. And do you recall the Supreme Court holding that basically repealed or set aside much of that State law on the basis that the jurisdiction of immigration was solely held by Federal Government?

Ms. VAUGHAN. Yes.

Mr. BIGGS. And I guess my question, initially, to go with this is do you think that sanctuary cities and States are consistent with that ruling in SB-1070?

Ms. VAUGHAN. No, they are not, because what sanctuary policies are is an attempt to nullify Federal law because local jurisdictions disagree with it. And if this happened in any other area of the law, whether it is environmental laws, or tax laws, or, you know, other laws that you can think of, it simply would not be tolerated.

Immigration officers and the immigration enforcement agencies are singled out for interference and obstruction based on political differences over what our immigration laws should be. But these laws are passed by you folks, by Congress, and they are overwhelmingly supported by Americans.

Immigration law is not some obsolete law that nobody thinks is important to enforce anymore. There are important public safety consequences that result from that cooperation. And that is why the Federal Government needs to take action and impose consequences on sanctuary policies, because they are not going to change on their own.

Some of the sanctuary defenders are happy to be martyrs, or have their taxpayers be martyrs for the sanctuary cause. But they are putting everyone in the community at risk through these policies because the result is the release of criminal aliens who go back to the streets to reoffend. And that is especially the case when these individuals are opioid dealers and traffickers. These are people who could be sent home but are instead sent back to sell more drugs to people.

Mr. BIGGS. And so with that in mind, let's talk about the opioids for a second. And I do appreciate all the testimony with regard to opioids that we have heard today.

In particular, I am intrigued by the statement that you could fit all the heroin that comes across here in 2,000 suitcases. But fentanyl is really what is loose and rampant in our streets. And there was some intimation by some who were asking questions that maybe fentanyl is not coming across the southern border. I find that a dubious comment, and so I am going to ask Dr. Humphreys, origins of fentanyl. And we recognize that China is a large purveyor of that, but they have trade routes basically. And are any of those coming from the southern border?

Mr. HUMPHREYS. No. You are correct about that. Fentanyl is primarily produced in China. Some of it is shipped directly here through our mail system; some of it is shipped to Mexico to trafficking groups who mix it with heroin to basically extend the strength of heroin for cheap and then make more money. So some of it does come in that way as well.

Mr. BIGGS. Right. So when we look at it coming across the border, and Detective Rogers, in your experience, have you seen fentanyl distribution in the Denver area that originated across our southern border?

Mr. ROGERS. We really do not have a lot of fentanyl in Denver right now. We are not seeing the fentanyl. One of the issues that you have is when I take heroin off the streets, it is tested by our lab, and it comes back positive as heroin. It does not come back positive for heroin and fentanyl.

So there is a chance there is a lot of fentanyl in Denver, but I can tell you that we just deal with heroin. So, it is kind of hard for me to answer that any differently than I just did.

Mr. BIGGS. Thank you, Detective. I am just going to conclude by just making this observation here. It appears to me that there are those who tacitly support criminal sanctions on officers for cooperating with ICE, as we have seen in the Denver area, while seeking only treatment options and no criminal deterrence on distribution and use of opioids, which will perpetuate this problem in my opinion. And so, with that, Mr. Chairman, I yield.

Mr. LABRADOR. This concludes——

Ms. LOFGREN. Mr. Chairman.

Mr. LABRADOR. Yes?

Ms. LOFGREN. May I ask unanimous consent to put a letter into the record at the request of Mr. Raskin, who was unable to be here today?

Mr. LABRADOR. What does the letter say?

Ms. LOFGREN. It is a letter to Mr. Goodlatte, signed by several members of the committee, about the opioid crisis.

Mr. LABRADOR. Okay. Without objection.

This material is available at the Committee or on the Committee repository at: <http://docs.house.gov/meetings/JU/JU01/20180215/106864/HHRG-115-JU01-20180215-SD008.pdf>

Mr. LABRADOR. Yes. And just to make clear, we are planning on having a hearing on the fuller opioid crisis epidemic. Like I said earlier, I do not necessarily disagree with many of the things that Dr. Humphreys said today. We have a much larger problem, and

the full committee will be holding a hearing on this. This is the immigration subcommittee, and our job is to figure out what the immigration implications are of some of the policies and some of the issues that we are dealing with in the United States.

So thank you all very much for being here today. This concludes today's hearing. Thanks for all of our witnesses for attending. Without objection, all members will have 5 legislative days to submit additional written questions for the witnesses or additional materials for the record. And this hearing is adjourned.

[Whereupon, at 10:18 a.m., the subcommittee was adjourned.]

